

PATENT

Attorney Docket



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: WALKER et al.

Serial No.: 09/994,810

Filing Date: November 27, 2001

For: METHOD AND APPARATUS FOR
UTILIZING DEMAND INFORMATION
AT A VENDING MACHINE

) Examiner: Not Yet Assigned

) Group Art Unit: 2161

) Attorney Docket No: 01-05

) Customer No.: 22927



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as priority mail in an envelope with sufficient postage and addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on January 28, 2002

Dated: 01/28/02 By:

Michael D. Brinton
Michael D. Brinton

Assistant Commissioner for Patents
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants submit herewith patents, publications or other information of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a thorough search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Nor shall the filing of this information disclosure statement be construed as an admission against interest in any manner.

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on the accompanying Form PTO-1449 may be deemed to be pertinent

to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items listed on the enclosed copy of Form PTO-1449 and to independently ascertain their teaching.

1. ☐ Applicants respectfully direct the Examiner's attention to the pending U.S. patent applications listed on the enclosed Form PTO-1449. The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application. Applicants would be pleased to provide the Examiner with a copy of these applications upon request.
2. ☐ For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a European Search Report from a counterpart European application is enclosed. Such items are marked as reference letter(s): _____
_____.
3. ☐ For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application. Such items are marked as reference letter(s): _____.
4. ☒ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:

☐ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.

☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491.

[X] 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits.

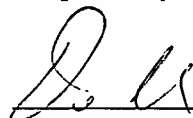
5. [] No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. 1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. [] A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c) after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action). The fee due under 37 C.F.R. §1.17(p) is to be paid as set forth in paragraph 10 below.
7. [] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in accordance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a Notice of Allowance, but before the payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
 - b. this document is to be considered as a petition requesting consideration of the information disclosure statement.
 - c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.
8. [] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:

- ☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition to Withdraw Application from Issue;
- ☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition to Withdraw Application from Issue.
- ☐ The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 10 below.
9. ☐ I hereby certify:
- ☐ that each item of information contained in the items listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. A copy of such communication is enclosed.
- ☐ that no item of information contained or listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
10. ☐ Please accept payment of the fees due as indicated below:
- ☐ A check in the amount of \$240.00 is enclosed in payment of the fee due under 37 C.F.R. 1.17(p).

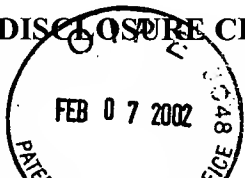
- ☐ The Commissioner is hereby authorized to charge \$240.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(p). A duplicate copy of this sheet is attached for such purpose
- ☐ A check in the amount of \$130.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(i)(1).
- ☐ The Commissioner is authorized to charge \$130.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(i)(1). A duplicate copy of this sheet is attached.
11. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0271. A copy of this authorization is attached.
12. ☐ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed concurrently with a Request for Continued Examination.

January 28, 2002
Date

Respectfully submitted,



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INFORMATION DISCLOSURE CITATION 	Docket Number 01-050	Serial Number 09/994,810
	Applicants WALKER et al.	
	Filing Date November 27, 2001	Group 2161

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U.S. PATENT DOCUMENTS

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIAT E
	A	4,008,792	02/22/77	Levasseur et al.	194	1 N	
	B	4,412,292	10/25/83	Sedam et al.	364	479	
	C	4,498,570	02/12/85	King et al.	194	1 N	
	D	4,654,800	03/31/87	Hayashi et al.	364	479	
	E	4,679,150	06/07/87	Hayashi et al.	364	479	
	F	4,906,828	03/06/90	Halpern	235	379	
	G	5,353,219	10/04/94	Mueller et al.	364	405	
	H	5,434,394	07/18/95	Roach et al.	235	375	
	I	5,450,938	09/19/95	Rademacher	194	206	
	J	5,511,646	04/30/96	Maldanis et al.	194	217	
	K	5,592,378	01/07/97	Cameron et al.	395	227	
	L	5,608,643	03/04/97	Wichter et al.	364	479.14	

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	Translation	
							Yes	No
	M	JP 58132886 A	08/08/83	Japan (Abstract)				
	N	EP 0 085 546 A2	08/10/83	Europe				
	O	JP 2001093 A	01/05/90	Japan (Abstract)				


OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)

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EXAMINER

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIAT E
	P	5,613,620	03/25/97	Center et al.	221	133	
	Q	5,732,398	03/24/98	Tagawa	705	5	
	R	5,774,868	06/30/98	Cragun et al.	705	10	
	S	5,822,216	10/13/98	Satchell, Jr. et al.	364	479.01	
	T	5,822,736	10/13/98	Hartman et al.	705	1	
	U	5,844,808	12/01/98	Konsmo et al.	364	479.14	
	V	5,873,069	02/16/99	Reuhl et al.	705	20	
	W	5,878,401	03/02/99	Joseph	705	22	
	X	5,930,145	07/27/99	Yuyama et al.	364	479.01	

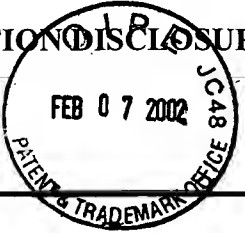
FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	Translation	
							Yes	No
	Y	JP 2208798 A	08/20/90	Japan (Abstract)				
	Z	JP 4235700 A	08/24/92	Japan (Abstract)				
	AA	JP 7065218 A	03/10/95	Japan (Abstract)				
	BB	KR 9503826 B	04/20/95	Korea				

OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)

EXAMINER	DATE CONSIDERED:
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U.S. PATENT DOCUMENTS							
EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	CC	6,049,777	04/11/00	Sheena et al.	705	10	
	DD	US 6,223,163 B1	04/24/01	Van Luchene	705	1	

FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	Translation	
							Yes	No
	EE	JP 8030848 A	02/02/96	Japan (Abstract)				
	FF	JP 8221645 A	08/30/96	Japan (Abstract)				
	GG	JP 08329323 A	12/13/96	Japan (Abstract)				
	HH	JP 09016836 A	01/17/97	Japan (Abstract)				
	II	JP 9062908 A	03/07/97	Japan (Abstract)				
	JJ	WO 97/28510	08/07/97	PCT				
	KK	EP 0 817 138 A1	01/07/98	Europe				

OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)		
	LL	Gilbert, Allan Z., "Operators can gain with creative merchandising", Automatic Merchandiser, October 1992, pg. 80, ISSN: 1061-1797.
	MM	"Public Internet Kiosks, Inc. Receives First Order For Its 'Internet Station' - The Vending Machine of the Future", PR Newswire, September 16, 1996.
	NN	French, Simone A. et al., "A Pricing Strategy to Promote Low-Fat Snack Choices through Vending Machines", American Journal of Public Health, May 1997, Vol. 87, No. 5.

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